

REMARKS***Status of the claims***

Upon entry of this amendment, claims 34-42 are pending in this application. Of these, claims 34, 38, 39, 40, 41, and 42 are independent. Claims 20-33 are canceled. New claims 34-42 are added. Applicant believes that these changes introduce no new matter. Entry and consideration of this amendment are respectfully requested.

Claim rejections

Claims 20-33 are rejected for obviousness-type double patenting. Claims 20-23, 25-29, 32, and 33 are rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 5,787,171 to Kubota et al. (hereinafter Kubota). Claims 24, 30, and 31 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Kubota in view of U.S. Patent No. 4,759,060 to Hayashi et al. (hereinafter Hayashi). Claims 20-33 have been canceled, thereby rendering these rejections moot.

New claims 34-42

New independent claims 34, 38, and 39 are directed to a transmitting method, a computer-readable program, and a storage medium. These claims recite that a transmitting side is capable of charging by a log that is recorded according to a request of information concerning the decoding that is sent from a receiving side. Applicant asserts that no such charging feature is taught or suggested by Kubota and Hayashi.

New Independent claims 40, 41 and 42 are directed to a receiving method, a computer-readable program, and a storage medium. These claims recite a requesting step that continuously requests information from a transmission side concerning the decoding of encryption data, and then stops requesting the information if watching and listening of that information ends. Applicant asserts that this feature is neither taught nor suggested by Kubota and Hayashi.

As set forth above, the Examiner rejected claims 20-33 for obviousness-type double patenting. Notwithstanding the merits of this rejection, Applicant respectfully requests that any requirement for a terminal disclaimer (if ultimately required), be held in

abeyance until the Examiner indicates that the claims are otherwise allowable over the references of record.

CONCLUSION

In view of the above Amendment and Remarks, Applicant respectfully submits that all of the stated grounds of rejection and objection have been properly traversed accommodated or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and objections and that they be withdrawn. Applicant believes that a full and complete reply has been made, and, as such, the present Application is in condition for allowance.

AUTHORIZATION

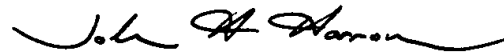
The Commissioner is hereby authorized to charge any additional fees, which may be required for consideration of this Amendment to Deposit Account 13-4500, Order no. 1232-4396US1. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-4396US1. A DUPLICATE OF THIS DOCUMENT IS ATTACHED

Respectfully submitted,
MORGAN & FINNEGAN

Date: March 13, 2003

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